

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ELIZABETH KERWIN, Regional Director,
Seventh Region of the National Labor
Relations Board, for an on behalf of the
NATIONAL LABOR RELATIONS BOARD,

Petitioner,

CASE NO. 1:24-cv-445

v.

HON. ROBERT J. JONKER

TRINITY HEALTH GRAND HAVEN HOSPITAL,

Respondent.

_____ /

ORDER

Petitioner moves for leave to file the ALJ's decision (as corrected). (ECF No. 56). Respondent does not oppose the filing itself, but objects and moves to strike the "Supporting Brief" included with Petitioner's Motion. (ECF No. 57). The Petitioner's Motion is **GRANTED**, and the ALJ decision (as corrected) will be considered part of the record in this case. Respondent's Motion to Strike is **DENIED**, but Respondent may file, if it wishes, a supplemental brief of not more than 5 pages addressing what it considers substantive argument in Petitioner's Supporting Brief.¹

IT IS SO ORDERED.

Dated: September 11, 2024

/s/ Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE

¹ Respondent apparently believes that Petitioner has included "an unnumbered paragraph which seeks to expand the allegations Petitioner has presented to the Court." (ECF No. 57, PageID.3110). The Court is not sure what Respondent is referencing but expects it must be the bolded segment of paragraph 7, at PageID.3035. The Court reads this provision as limiting, rather than expanding, the relief Petitioner is seeking. And there is certainly no prejudice to Respondent in that. In particular, Petitioner is withdrawing a part of the relief it was originally seeking in light of the ALJ's findings. If Petitioner wishes to change its Petition in any other way, it will need to seek and obtain permission of the Court, something it has not done.